IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.4226 OF 2006
in
INCOME TAX APPEAL (L) NO.2154 of 2006

The Commissioner of Income Tax
City 17 Mumbai .. Appellant
vs

Shri Balwant Mehtalia .. Respondent

Mr.R.Asokan for Appellant
Mr.M.Subramaniam with Mr.V.S.Hedade for Respondent

CORAM : F.I.REBELLO AND
R.S.MOHITE, JJ

DATED : 4TH DECEMBER, 2007

P.C.

1. There is a delay of 279 days in preferring the appeal. Mr.K.K.Rath has filed an affidavit in support of the motion. Learned counsel for the respondent pionts out that the cause shown would no amount to sufficient cause and consequently the delay should not be condoned.

2. We have considered para 4 of the affidavit showing the cause. We find that no explanation whatsoever has been given for the delay from 22.3.2006 and 22.8.2006. In our view, as the cause would not amount to sufficient cause, Motion is dismissed.

(F.I.Rebello, J)

(R.S.Mohite, J)